



International Trade Administration

[Application No. 19-2A001]

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of application for an amended export trade certificate of review for National Pecan Shellers Association, application no. 19-2A001

SUMMARY: The Secretary of Commerce, through the Office of Trade and Economic Analysis (“OTEA”) of the International Trade Administration, has received an application for an amended Export Trade Certificate of Review (Certificate). This notice summarizes the proposed application and seeks public comments on whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. sections 4011-21) (the Act) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the Federal Register, identifying the applicant and each member and summarizing the proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

Written comments should be sent to ETCA@trade.gov. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should also be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 19-2A001.”

A summary of the application follows.

Summary of the Application

Applicant: National Pecan Shellers Association, 3200 Windy Hill Rd., SE, Suite 600W, Atlanta, GA, 30339

Contact: Hannah Perkins, Associate Account Executive of The Kellen Company

Application No.: 19-2A001

Date Deemed Submitted: January 12, 2023

Summary: National Pecan Shellers Association seeks to amend its Certificate as follows:

1. Add the following entities as new exporting Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)):
 - HNH Nut Company, Visalia, CA
 - Humphrey Pecan LLC, San Antonio, TX
 - John B. Sanfilippo & Son, Inc., Elgin, IL
 - Pecan Star & Nut Corp, San Antonio, TX
 - Southern Roots Nut Company, LLC, Las Cruces, NM
2. Drop the following entities as Members:
 - Green Valley Company, Sahuarita, Arizona
 - Chase Farms, LLC, Artesia, New Mexico

NPSA's proposed amendment of its Export Trade Certificate of Review would result in the

following membership list:

Exporting Members

- Arnco, Inc. dba Carter Pecan, Panama City Beach, Florida
- Chase Pecan, LP, San Saba, Texas
- Diamond Foods, LLC, Stockton, California
- Easterlin Pecan Co, Montezuma, Georgia
- HNH Nut Company, Visalia, CA
- Hudson Pecan Co., Inc., Ocilla, Georgia
- Humphrey Pecan LLC, San Antonio, TX
- John B. Sanfilippo & Son, Inc., Elgin, IL
- La Nogalera USA Inc., El Paso, Texas
- Lamar Pecan Company, Hawkinsville, Georgia
- Navarro Pecan Company, Corsicana, Texas
- Pecan Grove Farms, Dallas, Texas
- Pecan Star & Nut Corp, San Antonio, TX
- Southern Roots Nut Company, LLC, Las Cruces, NM
- South Georgia Pecan Company, Valdosta, Georgia

Non-exporting Members

- Pecan Export Trade Council, Atlanta, Georgia
- The Kellen Company, Atlanta, Georgia (Independent Third Party)

Dated: January 20, 2023.

Joseph Flynn,

Director,

Office of Trade and Economic Analysis,

International Trade Administration,

U.S. Department of Commerce.

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